

**From:** ["Wade, Alexis" </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE:GROUP \(FYDIBOHF23SPDLT\)/CN=RECIPIENTS/CN=5C9FBA2EF8444572A39185242B70593B-WADE.ALEXIS>](#)  
**To:** [Perkins](#)  
[Erin](#)  
**CC:**  
**Date:** 11/7/2014 2:54:20 PM  
**Subject:** RE: McNulty Gulch, Climax Mine -- Waste Treatment SystemExemption Issue

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That sounds good. This Tuesday holiday is throwing me for a bit of a loop (why isn't this a standard Monday holiday??), but that should work.

Alexis Wade  
Attorney-Adviser  
Water Law Office  
EPA Office of General Counsel  
(202) 564-3273

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**From:** Perkins, Erin  
**Sent:** Friday, November 07, 2014 1:07 PM  
**To:** Wade, Alexis  
**Subject:** Re: McNulty Gulch, Climax Mine -- Waste Treatment System Exemption Issue

ex. b5 - deliberative

Don't worry about it. I know you're totally swamped. [REDACTED]

[REDACTED] How does that sound to you?

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**From:** Wade, Alexis  
**Sent:** Friday, November 7, 2014 10:39 AM  
**To:** Perkins, Erin  
**Subject:** RE: McNulty Gulch, Climax Mine -- Waste Treatment System Exemption Issue

Ok thanks. I didn't return your call yesterday about the other thing so sorry. You available today? I have a call in a few minutes and maybe another yet to be scheduled call later today but maybe we could find a time to talk.

Alexis Wade  
Attorney-Adviser  
Water Law Office

**From:** Perkins, Erin  
**Sent:** Friday, November 07, 2014 10:11 AM  
**To:** Wade, Alexis  
**Subject:** Fw: McNulty Gulch, Climax Mine -- Waste Treatment System Exemption Issue

fyi - stay tuned for meeting invite...

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**From:** Hamilton, Karen  
**Sent:** Friday, November 7, 2014 8:08 AM  
**To:** Perkins, Erin  
**Subject:** Fwd: McNulty Gulch, Climax Mine -- Waste Treatment System Exemption Issue

Karen Hamilton  
EPA Region 8  
1595 Wynkoop St  
Denver, CO 80202  
303 312 6236

Tiny keyboard! Please forgive terse replies and misspellings.

Begin forwarded message:

**From:** "Kaiser, Russell" <[Kaiser.Russell@epa.gov](mailto:Kaiser.Russell@epa.gov)>  
**To:** "Hamilton, Karen" <[Hamilton.Karen@epa.gov](mailto:Hamilton.Karen@epa.gov)>  
**Cc:** "Downing, Donna" <[Downing.Donna@epa.gov](mailto:Downing.Donna@epa.gov)>  
**Subject:** FW: McNulty Gulch, Climax Mine -- Waste Treatment System Exemption Issue

Pls let us know when the meeting is scheduled for.. Donna & I would be very interested...

Russell L. Kaiser  
Chief, Wetlands & Aquatic Resources Regulatory Branch  
1301 Constitution Ave., N.W.  
Room 7217M West Bldg.

Washington, DC 20004  
P: 202.566.0963

From: Hamilton, Karen  
Sent: Wednesday, November 05, 2014 12:31 PM  
To: Downing, Donna; Kaiser, Russell; Hunter, Christopher  
Cc: Pendergast, Jim  
Subject: FW: McNulty Gulch, Climax Mine -- Waste Treatment System Exemption Issue  
Importance: High

ex. b5 - deliberative

Hello 404 Program Experts!

We have a waste treatment tangle on our hands with Climax mine. We've been working on this for more than a year with the Corps. [REDACTED]

[REDACTED]  
[REDACTED].  
Planning to meet next week with OGC, and hopefully, one or more of you, next week. I know waters has taken over your lives so I don't know who to ask for help on this.

Karen

Karen Hamilton  
Chief, Aquatic Resource Protection and Accountability Unit  
US Environmental Protection Agency Region 8  
1595 Wynkoop St.  
Denver, CO 80202  
303 312 6236

Protect our Nation's waters

From: Perkins, Erin  
Sent: Wednesday, November 05, 2014 10:22 AM  
To: Wade, Alexis

Cc: Hamilton, Karen  
Subject: FW: McNulty Gulch, Climax Mine -- Waste Treatment System  
Importance: High

ex. b5 - deliberative

Hi Alexis –

I wanted to give you the heads up that R8 will be scheduling a meeting for next week with OGC and OW regarding the Climax mine and the waste treatment exclusion. I think you were on a call a while ago regarding this mine. We and the Corps met with the mine on Oct. 6 and the mine subsequently sent the following letter and attachments. So far, we are on the same page generally with the Corps on the JD. [REDACTED]

[REDACTED]. I'm forwarding the letter and its attachments as well as attaching the Corps' draft JD and draft JD narrative. Climax has not seen the draft JD materials yet, but the Corps did talk with them over the phone and explain where the Corps was headed with the JD.

The main outstanding issues we need to get HQ's input in are:

1) [REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

We will also be meeting with the State to get their view on the scope of the WTS within the current NPDES permit.

Please let me know if you have any questions – we're hoping for the end of next week to meet with you and OW. We meet with the Corps on Nov. 19 to discuss our thinking.

Thanks,

Erin

From: Hamilton, Karen  
Sent: Monday, October 20, 2014 2:26 PM  
To: Perkins, Erin  
Subject: FW: McNulty Gulch, Climax Mine -- Waste Treatment System  
Importance: High

From: Graff, Karen M. [[mailto:Karen\\_Graff@FMI.com](mailto:Karen_Graff@FMI.com)]  
Sent: Monday, October 20, 2014 1:55 PM  
To: Hamilton, Karen; [lesley.a.mcwhirter@usace.army.mil](mailto:lesley.a.mcwhirter@usace.army.mil)<<mailto:lesley.a.mcwhirter@usace.army.mil>>  
Cc: Ott, Toney; Deely, Sheila H.  
Subject: McNulty Gulch, Climax Mine -- Waste Treatment System  
Importance: High

SENT ON BEHALF OF RAY LAZUK

Hello Karen and Lesley:

As we discussed at our October 6 meeting, we are providing the regulatory ELG and permitting material that we referenced as part of our presentation at the meeting. We would be happy to address any questions that remain, and would very much appreciate the opportunity to discuss your conclusions in a meeting or teleconference following your review of this material.

Raymond Lazuk  
Environmental Manager  
Climax Molybdenum Company - Climax Mine  
Highway 91 - Fremont Pass  
Climax, CO 80429